

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHAWN GARRETT BAUTISTA,

No. C 05-112 SI (pr)

Plaintiff,

ORDER OF DISMISSAL

v.


EDWARD S. ALAMEIDA, etc.;
et al.,

Defendants.

Shawn Garrett Bautista, formerly an inmate at the Santa Clara County Jail, filed this pro se civil rights action under 42 U.S.C. § 1983. The court dismissed the complaint, the Ninth Circuit reversed the dismissal and remanded the case, the court then further reviewed the complaint and dismissed it with leave to amend. The court explained the deficiencies in the complaint, ordered Bautista to file an amended complaint no later than September 1, 2006, and warned that "[f]ailure to file the amended complaint by the deadline will result in the dismissal of the action." July 24, 2006 Order Of Dismissal With Leave To Amend, pp. 5-6. Bautista failed to file an amended complaint and the deadline by which to do so has passed. This action is dismissed for failure to state a claim upon which relief may be granted against a defendant and failure to comply with the court's order. The clerk shall close the file.

IT IS SO ORDERED.

Dated: December 18_, 2006



SUSAN ILLSTON
United States District Judge